

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

TOBIN H. TRAN

§

VS.

§

CIVIL ACTION NO. 1:07cv546

HARLEY LAPPIN

§

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Tobin H. Tran, an inmate confined at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, filed the above-styled petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of this court. The magistrate judge has submitted a Report and Recommendation recommending the petition be denied.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. Petitioner filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion the objections are without merit. The magistrate judge correctly concluded petitioner had no liberty interest in being permitted to participate in the Residential Drug Abuse Program.¹

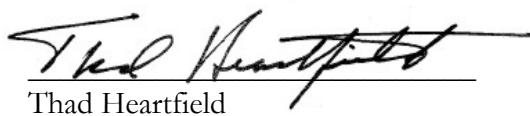
ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED** as the opinion of the court. A final judgment shall be entered in accordance with the

¹ The court notes petitioner attached an amended and supplemental petition to his objections. However, after reviewing this document, the court remains of the opinion that petitioner's arguments are without merit.

recommendation of the magistrate judge.

SIGNED this the **15** day of **January, 2008**.



Thad Heartfield
Thad Heartfield
United States District Judge